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Santangelo Law Offices, P.C.  
Third Floor  
125 South Howes  
Fort Collins, CO 80521

EXAMINER
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STERRETT, JONATHAN G

ART UNIT	PAPER NUMBER
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3623

DATE MAILED: 07/01/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

## Office Action Summary

**Application No.**

09/877,474

**Applicant(s)**

THOMAS, ROLAND R.

**Examiner**

Jonathan G. Sterrett

**Art Unit**

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --  
**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

### Status

- 1) ☒ Responsive to communication(s) filed on 08 June 2001.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

### Disposition of Claims

- 4) ☒ Claim(s) 1-24 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-24 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

### Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
  - ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

### Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)  
Paper No(s)/Mail Date 6-8-2001.
- 4) ☐ Interview Summary (PTO-413)  
Paper No(s)/Mail Date. \_\_\_\_\_.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: \_\_\_\_\_.

## DETAILED ACTION

### *Summary*

1. Claims 1-24 are pending in the application. The instant application deals with providing qualified applicants for specific employment positions. More specifically, the invention deals with screening job applicants using a set of filters which eliminate those applicants not having the necessary skills. The system uses the technique of scoring applicants qualifications and adjusting the scoring method so as to fine tune the scores applicants receive for having the proper combination of skills and qualifications. The system is designed to ensure that an applicant is precisely matched for an open employment position.

### ***Claim Rejections - 35 USC § 112***

2. The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

3. **Claim 19** is rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

4. Regarding **Claim 19**, the preamble of the claim cites an apparatus while the body of the claim fails to cite any components necessary to constitute an apparatus. The claim is indefinite.

### ***Claim Rejections - 35 USC § 101***

5. 35 U.S.C. 101 reads as follows:

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Whoever invents or discovers any new and useful process, machine, manufacture, or composition of matter, or any new and useful improvement thereof, may obtain a patent therefor, subject to the conditions and requirements of this title.

6. **Claims 1-24** are rejected under 35 U.S.C. 101 because the invention is directed to non-statutory subject matter.

The basis of this rejection is set forth in a two-prong test of:

(1) whether the invention is within the technological arts: and

(2) whether the invention produces a useful, concrete and tangible result.

7. For a claimed invention to be statutory, the claimed invention must be within the technological arts. Mere ideas in the abstract (i.e., abstract idea, law of nature, natural phenomena) that do not apply, involve, use, or advance the technological arts fail to promote the "progress of science and the useful arts" (i.e., the physical sciences as opposed to social sciences, for example) and therefore are found to be non-statutory subject matter. For a process claim to pass muster, the recited process must somehow apply, involve, use, or advance the technological arts. In the present case, none of **Claims 1-24** are directed to anything in the technological arts as explained above.

Specifically for **Claim 1** the limitation "**aggregating said at least one valuation profile**" is cited. This limitation can be performed manually without utilizing technological elements. Further in **Claim 1**, the limitation "**matching said at least one individual valuation profile to said minimum valuation requirements**" is cited. In **Claim 19**, the limitation "an individual valuation profile aggregation element" is cited. Further in **Claim 19**, the limitation "**a matched individual valuation profile aggregation element**" is cited. These limitations can be performed manually without utilizing technological elements. Looking at the claims as a whole, nothing in the body of the claims recites

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any structure or functionality to suggest that a computer or any technology performs the recited steps. Additionally, for a claimed invention to be statutory, the claimed invention must produce a useful, concrete, and tangible result. In the present case, the claimed invention provides matching of employment opportunities to applicants' skillsets, which is a useful, concrete and tangible result. Although the recited process produces a useful, concrete and tangible result, since the claimed invention, as a whole, is not within the technological arts as explained above, **Claims 1-24** are deemed to be directed to non-statutory subject matter.

***Claim Rejections - 35 USC § 102***

8. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

9. **Claims 1 and 19** are rejected under 35 U.S.C. 102(e) as being anticipated by

**Nadkarni US 6,266,659.**

Regarding **Claim 1**, Nadkarni discloses:

**a. generating at least one individual valuation profile;**

Column 5 line 16-17, individual job seekers can access system online to populate resume relational database. Resumes in database are individual valuation profiles that can be used to assess individuals seeking a job.

Column 8 line 54-55, users entering their resume information into database create a candidate skill or experience profile (i.e. individual valuation profile).

**b. aggregating said at least one individual valuation profile;**

Column 5 line 16-17, a database is disclosed. Having individual valuation profiles of potential job seekers in a database constitutes aggregating those profiles in one place since the database can be queried or searched to locate any or all of the individual valuation profiles.

**c. establishing minimum valuation requirements;**

Column 8 line 13-15, the employer can establish minimum valuation requirements-e.g. minimum educational requirements

Column 9 line 44-49, the system can sum up non-continuous years of experience to determine if a candidate has the minimum years of skill required by the employer.

**d. generating filtering parameters corresponding to said minimum valuation requirements;**

Column 9 line 8-9, employer generates filtering parameters corresponding to minimum valuation requirements, e.g. the cumulative length of experience required. If the job-seeker had less than the length of experience required, then their profile would be filtered.

**e. matching said at least one individual valuation profile to said minimum valuation requirements;**

Column 9 line 24-25, a query is constructed to search in the database to match profiles to minimum requirements.

Column 9 line 59, a search is performed in the database to identify and return those candidates who meet the minimum valuation requirements.

Running a search in a database using a query containing minimum valuation requirements provides matching of the individual valuation profile to the minimum valuation requirements specified for that query.

**f. aggregating individual valuation profiles having at least said minimum valuation requirements.**

Column 9 line 59-60, the profiles are returned to the user (i.e. aggregated as a group). These profiles meet the minimum valuation requirements.

**Claim 19** recites similar limitations as those recited in **Claim 1** above, and is therefore rejected under the same rationale.

***Claim Rejections - 35 USC § 103***

10. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

11. **Claims 2-9 and 20** are rejected under 35 U.S.C. 103(a) as being unpatentable over **Nadkarni US 6,266,659**.

Regarding **Claim 2**, Nadkarni discloses all the limitations of Claim 1 above, and also teaches:

**wherein said step of generating filtering parameters corresponding to said minimum valuation requirements comprises generating filtering parameters from the group consisting of:**

**a profile status parameter,**

Column 8 line 9, full or part time nature of position (i.e profile status) is specified as a filtering parameter.

**a location parameter,**

Column 8 line 11, parameter entered specifies where job is located

**an availability parameter,**

Column 7 line 55-56, candidate indicates their availability status into system.

**a travel parameter,**

Column 8 line 13, parameter specifies whether travel is required.

**an education parameter,**

Column 8 line 12-15, minimum educational requirements.

**a compensation parameter, and a**

Column 8 line 11, parameter entered specifying what open position pays (i.e. compensation).

**required skills parameter.**



Column 8 line 19, queries pertaining to required skills (i.e. required skills parameter), in this example, programming languages are used as examples of required skills.

Nadkarni teaches that the database in his invention is populated with information from resume's of job seekers.

Nadkarni does not teach where the parameters used for filtering for minimum valuation requirements are:

**a certifications parameter,**

**a position level parameter,**

Official Notice is taken that it is old and well known in the art for job-seekers to put certification information on their resumes as well as the positions they have held (manager, supervisor, etc.). This is done because the professional or trade certifications a person holds provide relevant information as to their qualifications for employment. Positions held (i.e. position level) also provide relevant information to a person's qualification for employment because they provide indications of managerial ability depending on the level held in a company.

A person's certifications and positions held provide an efficient way to evaluate their qualifications for employment.

It would have been obvious to one of ordinary skill in the art at the time of the invention to modify the teachings of Nadkarni, regarding providing filtering criteria for establishing minimum valuation requirements, to include where those filtering criteria include certifications and position level parameters, because they would provide an efficient way to evaluation a candidate's qualifications for employment.

Regarding **Claim 3**, Nadkarni teaches all the limitations of Claim 2 above, and also teaches:

**wherein generating said required skills parameter comprises selecting a subcategory of skills from a skill library.**

Column 8 line 28-33, skill categories and sub-categories (i.e skill library), can be selected to generate a required skills parameter. The skills parameter can be specified using multiple hierarchies in the database.

Regarding **Claim 4**, Nadkarni teaches all the limitations of Claim 2 above, and also teaches:

**the step of adjusting filtering parameters.**

Column 9 line 60-63, employer can play 'what if' games with his search specification (i.e. adjusting filtering parameters) to obtain more or fewer candidates to focus on as a select list to explore further, e.g. interviews.

Regarding **Claim 5**, Nadkarni teaches all the limitations of Claim 4 above, and also teaches:

filtering profiles using parameters to identify employment candidates and adjusting those parameters after an initial search is done to refine the search.

Column 9 line 60-63, employer can play 'what if' games with his search specification (i.e. adjusting filtering parameters) to obtain more or fewer candidates to focus on as a select list to explore further, e.g. interviews.

Nadkarni does not teach adjusting the filtering parameters to identify candidates with respect to various start dates as per:

**wherein said step of adjusting filtering parameters comprises:**  
**inputting a latest start date; and**  
**inputting a duration of time after said latest start date.**

Official Notice is taken that it is old and well known in the art of recruiting for companies to specify start dates as part of the criteria for evaluating candidates. Since unfilled positions in a company can have an adverse impact on the operation of a company, it is in the company's best interest to fill those positions as soon as possible and thus use start date as a criteria in evaluating potential applicants.

It would have been obvious to one of ordinary skill in the art at the time of the invention to modify the teachings of Nadkarni, regarding providing filtering criteria for

establishing minimum valuation requirements, to include where those filtering criteria include inputting and adjusting a latest start date, because it would provide an efficient way for a company to fill positions in as soon as possible.

Regarding **Claim 6**, Nadkarni teaches all the limitations of Claim 4 above, and also teaches:

**filtering profiles using parameters and adjusting those parameters.**

Column 9 line 60-63, employer can play 'what if' games with his search specification (i.e. adjusting filtering parameters) to obtain more or fewer candidates to focus on as a select list to explore further, e.g. interviews.

Column 8 line 8-14, various filter criteria can be used as search criteria, including whether travel is required.

Nadkarni does not teach adjusting the filtering parameters to identify candidates with respect to various start dates as per:

**wherein adjusting filtering parameters comprises inputting a maximum travel percentage.**

Official Notice is taken that it is old and well known in the art of staffing to use amount of travel as a percentage as a criteria in evaluating candidates. It is common to advertise positions as "100% travel" or "no travel required" (i.e. 0%) as a way to filter those candidates who do not wish to comply with the requirements of the position, since

many workers do not wish to travel as part of a job requirement since extensive business travel is viewed by some as an adverse part of a position. Communicating aspects of a position that may impact a future employee's job satisfaction (and ultimately retention) is important in ensuring the right person for the job is hired.

It would have been obvious to one of ordinary skill in the art at the time of the invention to modify the teachings of Nadkarni, regarding providing filtering criteria for establishing minimum valuation requirements, to include where those filtering criteria include inputting a maximum travel percentage, because it would improve employee retention by ensuring the person hired is willing to travel as per the position requirements.

Regarding **Claim 7**, Nadkarni teaches all the limitations of Claim 4 above, and also teaches:

filtering profiles using parameters to identify employment candidates and adjusting those parameters after an initial search is done to refine the search.

Column 9 line 60-63, employer can play 'what if' games with his search specification (i.e. adjusting filtering parameters) to obtain more or fewer candidates to focus on as a select list to explore further, e.g. interviews.

Nadkarni teaches where compensation can be used as a filter to select employees (column 8 line 12).

Nadkarni does not teach adjusting the filtering parameters to identify candidates with respect to various start dates as per:

**inputting a maximum annual compensation amount; and inputting a percentage greater than said maximum annual compensation amount.**

Official Notice is taken that it is old and well known in the art to screen employees based on the compensation they require. Hiring an employee at a compensation lower than the employee desires can lead to retention problems since the difference may be an indication of the employee being overqualified for a position, especially if their salary history indicates a commensurate increase in salary and responsibility.

It would have been obvious to one of ordinary skill in the art at the time of the invention to modify the teachings of Nadkarni, regarding providing filtering criteria for establishing minimum valuation requirements, to include where those filtering criteria include inputting a maximum annual compensation amount, because it would improve employee retention by ensuring the person hired is compensated according to their expectations regarding the position.

Regarding **Claim 8**, Nadkarni teaches all the limitations of Claim 4 above, and also teaches:

**inputting minimum skill valuation requirements against said subcategory of skills from said skill library.**

Column 9 line 44-49, the system can sum up non-continuous years of experience to determine if a candidate has the minimum years of skill required by the employer.

Column 9 line 27-33, the company can input minimum skill valuation requirements against the hierarchy of skills (i.e. subcategory of skills) in the database (i.e. skill library).

Regarding **Claim 9**, Nadkarni teaches all the limitations of Claim 4 above, and also teaches:

**the step of refiltering said at least one individual valuation profile.**

Column 9 line 60-63, employer can play 'what if' games with his search specification (i.e. adjusting filtering parameters) to obtain more or fewer candidates to focus on as a select list to explore further, e.g. interviews.

**Claim 20** recites similar limitations as those recited in **Claims 2-9** above, and is therefore rejected under the same rationale.

12. **Claims 10-18 and 21-24** are rejected under 35 U.S.C. 103(a) as being unpatentable over **Nadkarni US 6,266,659** in view of **Puram US 6,289,340**.

Regarding **Claim 10**, Nadkarni discloses all the limitations of Claim 1 above, but does not teach:

**the step of scoring filtered individual profiles using individual valuation profile score elements.**

Puram teaches:

**the step of scoring filtered individual profiles using individual valuation profile score elements.**

Column 7 line 63-65, candidate's scores (i.e. individual valuation profile scores) are added together so that a comparison can be made of who is most suited for the position being filled.

Puram teaches that his invention provides exact matches when filling employment positions – candidates are neither under- or overqualified. (Column 1 line 37-43).

Both Puram and Nadkarni address resolving issues with efficiently filling employment positions, thus both Puram and Nadkarni are analogous art.

It would have been obvious to one of ordinary skill in the art at the time of the invention to modify the teachings of Nadkarni, regarding using parameters to filter employment candidates, with the step of scoring those candidates to determine which



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candidate has the most appropriate skill set for a position, as taught by Puram, because it would ensure that the candidate filling the position was exactly matched with the position, neither being under-qualified nor overqualified.

Regarding **Claim 11**, Nadkarni and Puram teach all the limitations of Claim 10 above, but Nadkarni does not teach:

**wherein individual valuation profile score elements are selected from the group consisting of required skill experience, desired skill experience, required skill level, desired skill level, required skill currency, desired skill currency, desired education, and desired certifications.**

Puram teaches:

**wherein individual valuation profile score elements are selected from the group consisting of:**

**required skill experience,**

Column 2 line 44-49, required skill experience is a profile score element.

**desired skill experience,**

Column 5 line 63-65, skill level desired is determined for the particular position.

**required skill level,**

Column 6 line 2-3 minimum level of experience of skill level --see also Figure 9#188 "minimum experience level".

**desired skill level,**

Column 6 line 3-6, desired level of skill for position is a profile score element.

Puram teaches that his invention provides exact matches when filling employment positions – candidates are neither under- or overqualified. (Column 1 line 37-43).

Both Puram and Nadkarni address resolving issues with efficiently filling employment positions, thus both Puram and Nadkarni are analogous art.

It would have been obvious to one of ordinary skill in the art at the time of the invention to modify the collective teachings of Nadkarni and Puram, regarding using individual valuation parameters to score employment candidates, with the step of scoring those candidates on their skill experience and skill level, as taught by Puram, because it would ensure that the candidate filling the position was exactly matched with the position, neither being under-qualified nor overqualified.

Regarding **Claim 12**, Nadkarni and Puram teach all the limitations of Claim 10 above, but Nadkarni does not teach:

**the step of adjusting score calculation parameters.**

Puram teaches:

**the step of adjusting score calculation parameters.**

Column 7 line 53-56, the system adjusts the score calculation parameters so that the score equals the maximum score needed by the employer.

Puram teaches that his invention provides exact matches when filling employment positions – candidates are neither under- or overqualified. (Column 1 line 37-43).

Both Puram and Nadkarni address resolving issues with efficiently filling employment positions, thus both Puram and Nadkarni are analogous art.

It would have been obvious to one of ordinary skill in the art at the time of the invention to modify the teachings of Nadkarni, regarding using parameters to filter employment candidates, with the step of adjusting score calculation parameters, as taught by Puram, because it would ensure that the candidate filling the position was exactly matched with the position, neither being under-qualified nor overqualified.

Regarding **Claim 13**, Nadkarni and Puram teach all the limitations of Claim 12 above, but Nadkarni does not teach;

**wherein said step of adjusting score calculation parameters comprises adjusting scoring parameters selected from the group consisting of excess skill experience cap, excess skill experience score, excess skill level score, current**

**skill score, excess education score, non-current skill score, desired skills score, and desired certifications score.**

Puram teaches:

**wherein said step of adjusting score calculation parameters comprises adjusting scoring parameters selected from the group consisting of:**

**excess skill experience score, excess skill level score, excess skill experience cap, excess education score, current skill score, non-current skill score, desired skills score, and desired certifications score.**

column 7 line 53-56, excess skill experience scores for a candidate can be adjusted if the scores exceed what is required by the employer.

Puram teaches that his invention provides exact matches when filling employment positions – candidates are neither under- or overqualified. (Column 1 line 37-43).

Both Puram and Nadkarni address resolving issues with efficiently filling employment positions, thus both Puram and Nadkarni are analogous art.

It would have been obvious to one of ordinary skill in the art at the time of the invention to modify the collective teachings of Nadkarni and Puram, regarding using parameters to filter employment candidates and adjusting those scores, with the step of

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adjusting the score calculation of excess skill experience, as taught by Puram, because it would ensure that the candidate filling the position was exactly matched with the position, neither being under-qualified nor overqualified.

Regarding **Claim 14**, Nadkarni and Puram teach all the limitations of Claim 12 above, but Nadkarni does not teach:

**the step of setting breakpoints in said score calculation parameters.**

Puram teaches:

**the step of setting breakpoints in said score calculation parameters.**

Column 4 line 39-40, candidates can rank their skill experience according to predefined levels. If a candidate is skilled beyond the top level, the predefined score at the top level is a breakpoint past which the score does not count.

Puram teaches that his invention provides exact matches when filling employment positions – candidates are neither under- or overqualified. (Column 1 line 37-43).

Both Puram and Nadkarni address resolving issues with efficiently filling employment positions, thus both Puram and Nadkarni are analogous art.

It would have been obvious to one of ordinary skill in the art at the time of the invention to modify the collective teachings of Nadkarni and Puram, regarding using

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parameters to filter employment candidates and adjusting those scores, with the step of setting breakpoints in the score calculation parameters, as taught by Puram, because it would ensure that the candidate filling the position was exactly matched with the position, neither being under-qualified nor overqualified.

Regarding **Claim 15**, Nadkarni and Puram teach all the limitations of Claim 14 above, but Nadkarni does not teach:

**the step of weighting said score calculation parameters.**

Puram teaches:

**the step of weighting said score calculation parameters.**

Column 6 line 3-5, importance weights are assigned by the employer for particular skills –see Figure 9 #189.

Puram teaches that his invention provides exact matches when filling employment positions – candidates are neither under- or overqualified. (Column 1 line 37-43).

Both Puram and Nadkarni address resolving issues with efficiently filling employment positions, thus both Puram and Nadkarni are analogous art.

It would have been obvious to one of ordinary skill in the art at the time of the invention to modify the collective teachings of Nadkarni and Puram, regarding using

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parameters to filter employment candidates and adjusting those scores, with the step of weighting the score calculation parameters, because it would ensure that the candidate filling the position was exactly matched with the position, neither being under-qualified nor overqualified.

Regarding **Claim 16**, Nadkarni and Puram teach all the limitations of Claim 15 above, but Nadkarni does not teach:

**the step of rescoring said filtered individual profiles based upon adjusted score calculation parameters.**

Puram teaches:

**the step of rescoring said filtered individual profiles based upon adjusted score calculation parameters.**

Column 8 line 10-11, candidate's scores are adjusted and rescored.

Column 8 line 26-30, individual's profiles are adjusted and compared to each other in rank (i.e. rescored) to determine which candidate is the closest match to the employer's needs. Puram teaches a process whereby filtering and scoring is a multi-part iterative process so that an employer can use the invention to filter, adjust scores and refilter in order to converge to the candidate most matched with the particular position.

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Puram teaches that his invention provides exact matches when filling employment positions – candidates are neither under- or overqualified. (Column 1 line 37-43).

Both Puram and Nadkarni address resolving issues with efficiently filling employment positions, thus both Puram and Nadkarni are analogous art.

It would have been obvious to one of ordinary skill in the art at the time of the invention to modify the collective teachings of Nadkarni and Puram, regarding using parameters to filter employment candidates and adjusting those scores, with the step of rescoring candidate profiles based on adjusting scoring parameters, as taught by Puram, because it would ensure that the candidate filling the position was exactly matched with the position, neither being under-qualified nor overqualified.

Regarding **Claim 17**, Nadkarni and Puram teach all the limitations of Claim 10 above, but Nadkarni does not teach:

**the step of assigning importance to said individual valuation profile score elements.**

Puram teaches:

**the step of assigning importance to said individual valuation profile score elements.**



Column 6 line 3-5, importance weights are assigned by the employer for particular skills –see Figure 9 #189.

Puram teaches that his invention provides exact matches when filling employment positions – candidates are neither under- or overqualified. (Column 1 line 37-43).

Both Puram and Nadkarni address resolving issues with efficiently filling employment positions, thus both Puram and Nadkarni are analogous art.

It would have been obvious to one of ordinary skill in the art at the time of the invention to modify the collective teachings of Nadkarni and Puram, regarding using parameters to filter employment candidates and adjusting those scores, with the step of assigning importance to valuation profile scores, as taught by Puram, because it would ensure that the candidate filling the position was exactly matched with the position, neither being under-qualified nor overqualified.

Regarding **Claim 18**, Nadkarni and Puram teach all the limitations of Claim 10 above, but Nadkarni does not teach:

**the step of triggering a dialog function.**

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Puram teaches using artificial intelligence methods to query a user about specific input that has relevance to a job posting that is being filed (column 6 line 17-20).

Puram does not teach:

**the step of triggering a dialog function.**

Official Notice is taken that it is old and well known in the art to trigger a dialog function. Dialog boxes (i.e. dialog function) that pop up while a user is using a software program provide an efficient and easy-to-use way to enter data into a program.

It would have been obvious to one of ordinary skill in the art at the time of the invention to modify the collective teachings of Nadkarni and Puram, regarding using parameters to filter employment candidates, adjusting those scores and assigning importance to score elements, with the step of triggering a dialog function, because it would provide an efficient and easy-to-use way to enter data into a program.

**Claims 21-24** recite similar limitations as those recited in **Claims 10-18** above, and are therefore rejected under the same rationale.

### ***Conclusion***

13. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Lacy US 6735570 discloses a system and method for evaluating a group of people against a particular set of skills.

Hartman US 5758324 discloses a resume storage and retrieval system that allows for content searching and matching of resume information.

Clark US 5164897 discloses an automated method for selecting personnel matched to job criteria.

Reuning US 6381592 discloses a system for searching the web for various keywords to identify specific candidates for a particular employment opportunity.

McGovern US 6370510 discloses an internet based system for posting job openings and for providing searches of those posted job openings.

Parrish US 5416694 discloses a database system for performing skill matching analysis.

Hersh US 2002/0106617 discloses a way to evaluate potential job performance through a multimedia evaluation system.

Schreyer, Ray; McCarter, John; "Get moving on the Recruiting Superhighway",  
Apr 1999, HR Focus, ABI/INFORM Global, p.S9.

BusinessWire, "DiscoverME Clicks with Job Seekers", Apr 27, 1999, p.1,  
ProQuest ID 40881637.

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### ***Conclusion***

14. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Jonathan G. Sterrett whose telephone number is 571-272-6881. The examiner can normally be reached on 8-6.


If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Tariq Hafiz can be reached on 571-272-6729. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Art Unit: 3623

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TARIQ R. HAPIZ  
SUPERVISORY PATENT EXAMINER  
TECHNOLOGY CENTER 3600